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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,514	02/05/2004	Jeffrey C. Hawkins	21495-08117	6557
758	7590	11/01/2006	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			SHARMA, SUJATHA R	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/773,514	HAWKINS ET AL.	
	Examiner	Art Unit	
	Sujatha Sharma	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/5/06, 3/29/06, 5/17/05, 11/23/04, 4/24/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Claim 18 is objected to because of the following informalities:

In line 17 of claim 18, “modes; and” should read as –modes;--

Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5,10-14,25,26,33,34,50,52 are rejected under 35 U.S.C. 102(e) as being anticipated by Padawer [US 2002/0115476].

Regarding claim 1, Padawer discloses a shortcut system for use in a mobile electronic device.

Padawer further discloses a method comprising:

- detecting user activation of a speed-dial button corresponding to the destination party;
- responsive to the detected user activation, displaying at least two communication modes for the destination party;
- receiving user selection of one of the displayed communication modes;

Art Unit: 2618

- initiating communication with the destination party, using the selected communication mode.

Regarding claim 2, Padawer discloses a method wherein the communication device comprises one selected from the group consisting of a telephone; a cellular telephone; a pager; a personal digital assistant; a communicator; a smart phone; a computer; and a handheld communication device.

Regarding claim 3, Padawer discloses a method wherein the selected communication mode comprises one selected from the group consisting of: voice telephony; voice messaging; text messaging; email; and paging.

Regarding claim 4, Padawer discloses a method wherein the communication device comprises a display screen, the method further comprising, prior to detecting user activation of a speed-dial button:

- displaying at least one speed-dial button comprising a displayed representation of a button;
- and wherein detecting user activation of a speed-dial button comprises detecting user activation of the displayed representation of a button.

Art Unit: 2618

Regarding claim 5, Padawer discloses a method wherein detecting user activation of a speed-dial button comprises detecting user selection of the speed-dial button and user initiation of a command signifying activation of the selected speed-dial button.

Regarding claim 10, Padawer discloses a method wherein the communication device comprises a display screen, and wherein detecting user activation of a speed-dial button comprises detecting contact at an area of the display screen corresponding to the speed-dial button.

Regarding claim 11, Padawer discloses a method wherein the communication device comprises a display screen, and wherein detecting user activation of a speed-dial button comprises detecting a cursor position corresponding to an on-screen position of the speed-dial button and user initiation of a command signifying activation of the speed-dial button corresponding to the detected cursor position.

Regarding claim 12, Padawer discloses a method wherein the communication device comprises a display screen, the method further comprising, prior to detecting user activation of a speed-dial button:

- displaying a menu including at least one menu item representing a speed-dial button;
- and wherein detecting user activation of a speed-dial button comprises detecting user activation of the displayed menu item representing a speed-dial button.

Regarding claim 13, Padawer discloses a method wherein the communication device comprises a display screen, the method further comprising, prior to detecting user activation of a speed-dial button:

- displaying a scrollable list comprising at least one displayed speed-dial button;
- and wherein detecting user activation of a speed-dial button comprises detecting user activation of the displayed speed-dial button.

Regarding claim 14, Padawer discloses a method wherein detecting user activation of a speed-dial button comprises detecting user activation of a physical button.

Regarding claim 25, Padawer discloses a method, comprising:

- responsive to an activation command, displaying a pop-up menu comprising a plurality of entries corresponding to previously initiated communications; See Fig. 9-11, paragraphs 57,58
- receiving input selecting one of the entries; See Fig. 9-11, paragraphs 57,58
- responsive to the received input, initiating communication with a contact corresponding to the selected entry. See Fig. 9-11, paragraphs 57,58

Regarding claim 26, Padawer discloses a method wherein the pop-up menu further comprises at least one of: a command for accessing a dial pad; and a command for accessing a call log. See Fig. 9-11 where a dial pad screen is shown with short cuts

Regarding claim 33, Padawer discloses a method comprising:

- a plurality of on-screen buttons, each button assignable to one of a set of functions; See Fig. 9-11
- at least one configuration screen for assigning a button to a function; wherein each button is activatable to perform the function to which it is assigned; see page 5, paragraph 51
- wherein the set of functions comprises a speed dial function and at least one non-speed dial function. See Figs 9-11

Regarding claim 34, Padawer further discloses a method wherein the at least one non-speed dial function comprises at least one selected from the group consisting of:

launching an application; initiating an email communication to a specified recipient; initiating an SMS communication to a specified recipient; and accessing a web page. See Fig. 9 and page 4, paragraph 40

Regarding claim 50, Padawer discloses a method comprising a computer-readable medium and computer program code, encoded on the medium, for

- responsive to an activation command, displaying a pop-up menu comprising a plurality of entries corresponding to previously initiated communications; See Figs. 9-11 and paragraphs 57,58
- receiving input selecting one of the entries; See Figs. 9-11 and paragraphs 57,58
- responsive to the received input, initiating communication with a contact corresponding to the selected entry. See Figs. 9-11 and paragraphs 57,58

Regarding claim 52, Padawer discloses a method for initiating communication from within a telephone dialing application comprising:

- a display (fig. 1 and 228 in fig. 2) for, responsive to an activation command, displaying a pop-up menu comprising a plurality of entries corresponding to previously initiated communications; See Figs. 9-11 and paragraphs 57,58
- an input device (232 in fig. 2), coupled to the display, for receiving input selecting one of the entries; See Figs. 9-11 and paragraphs 57,58
- a communication module (fig. 1 and 272 in fig. 2), coupled to the input device, for, responsive to the received input, initiating communication with a contact corresponding to the selected entry. See Figs. 9-11 and paragraphs 57,58

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15-19,49,51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Padawer [US 2002/0115476] in view of Gerszberg [US 6,226,362]

Regarding claim 15, applicant discloses a method wherein the activated speed-dial button corresponds to a first previously stored handle representing a first communication mode for the destination party. See Fig. 9-11 and paragraphs 57, 58.

However, Padawer fails to disclose a method of displaying at least two communication modes for the destination party comprises: retrieving at least a second previously stored handle representing a second communication mode for the destination party corresponding to the activated speed-dial button.

Gerszberg, in the same field of endeavor, teaches a method of displaying at least two communication modes for the destination party comprises: retrieving at least a second previously stored handle representing a second communication mode for the destination party corresponding to the activated speed-dial button. See col. 10, lines 25-49

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Gerszberg to Padawer in order to allow the calling party to efficiently and quickly locate the called party by alternative means of communication.

Regarding claim 16, Gerszberg further discloses a method wherein each handle comprises at least one selected from the group consisting of: a telephone number; a fax number; an email address; a pager number; and an instant messaging identifier. See Fig. 7 and col. 10, lines 41-49

Regarding claim 17, Gerszberg further discloses a method wherein:
displaying at least two communication modes for the destination party comprises displaying a menu comprising at least two items; and wherein receiving user selection of one of the displayed communication modes comprises receiving user selection of a menu item. See Fig. 7 and col. 10, lines 41-49

Regarding claim 18, Padawer discloses a method comprising detecting user activation of a speed-dial button corresponding to a first previously stored handle representing a first communication mode for the destination party; See Fig. 9-11, paragraphs 57,58.

However he does not disclose a method of

- determining whether at least a second previously stored handle exists representing a second communication mode for the destination party. See col. 10, lines 25-49
- responsive to a determination that least a second previously stored handle exists displaying at least two communication modes for the destination party, each displayed communication mode corresponding to a handle for the destination party. See Fig. 7, col. 10, lines 41-49
- receiving user selection of one of the displayed communication modes; and initiating communication with the destination party, using the selected communication mode; See Fig. 7, col. 10, lines 41-49

Gerszberg, in the same field of endeavor, teaches a method comprising:

- determining whether at least a second previously stored handle exists representing a second communication mode for the destination party. See col. 10, lines 25-49
- responsive to a determination that least a second previously stored handle exists displaying at least two communication modes for the destination party, each displayed communication mode corresponding to a handle for the destination party. See Fig. 7, col. 10, lines 41-49

Art Unit: 2618

- receiving user selection of one of the displayed communication modes; and initiating communication with the destination party, using the selected communication mode; See Fig. 7, col. 10, lines 41-49

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Gerszberg to Padawer in order to allow the calling party to efficiently and quickly locate the called party by alternative means of communication.

Regarding claim 19, Padawer discloses a method further comprising: responsive to a determination that only one previously stored handle exists initiating communication with the destination party, using a communication mode associated with the first previously stored handle. See Fig. 9-11, paragraphs 57,58

Regarding claim 49, Padawer discloses a method comprising:

- a computer-readable medium; and computer program code, encoded on the medium, for: detecting user activation of a speed-dial button corresponding to the destination party.
See Figs. 9-11 and paragraphs 57,58
- receiving user selection of one of the displayed communication modes; See Figs. 9-11 and paragraphs 57,58
- initiating communication with the destination party, using the selected communication mode. See Figs. 9-11 and paragraphs 57,58

Art Unit: 2618

However, he does not disclose a method wherein responsive to the detected user activation, displaying two communication modes for the destination party.

Gerszberg, in the same field of endeavor, teaches a method of displaying at least two communication modes for the destination party. See col. 10, lines 25-49

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Gerszberg to Padawer in order to allow the calling party to efficiently and quickly locate the called party by alternative means of communication.

Regarding claim 51, Padawer discloses a method comprising:

- an input device for detecting user activation of a speed-dial button corresponding to the destination party. See Figs. 9-11 and paragraphs 57,58
- receiving user selection of one of the displayed communication modes; See Figs. 9-11 and paragraphs 57,58
- initiating communication with the destination party, using the selected communication mode. See Figs. 9-11 and paragraphs 57,58

However, he does not disclose a method wherein responsive to the detected user activation, displaying two communication modes for the destination party.

Gerszberg, in the same field of endeavor, teaches a method of displaying at least two communication modes for the destination party. See col. 10, lines 25-49

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Gerszberg to Padawer in order to allow the

Art Unit: 2618

calling party to efficiently and quickly locate the called party by alternative means of communication.

5. Claims 20,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Padawer [US 2002/0115476] in view of Urs [US 6,363,349]

Regarding claim 20, Padawer discloses all the limitations as claimed. He further discloses a method comprising:

accepting user input activating a speed-dial button corresponding to a first previously stored handle representing a first communication mode for the destination party; See Fig. 9-11, paragraphs 57,58.

However he does not disclose a method comprising:

- determining whether the user input indicates a request that alternative communication modes be displayed;
- responsive to the user input indicating a request that alternative communication modes be displayed: displaying at least two communication modes for the destination party, each displayed communication mode corresponding to a handle for the destination party;
- receiving user selection of one of the displayed communication modes and initiating communication with the destination party, using the selected communication mode.

Urs, in the same field of endeavor, teaches a method comprising:

- determining whether the user input indicates a request that alternative communication modes be displayed; See col. 5, lines 7-16

Art Unit: 2618

- responsive to the user input indicating a request that alternative communication modes be displayed: displaying at least two communication modes for the destination party, each displayed communication mode corresponding to a handle for the destination party; See col. 5, lines 7-16
- receiving user selection of one of the displayed communication modes and initiating communication with the destination party, using the selected communication mode. See col. 5, lines 7-16

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Urs to Padawer in order to allow the calling party to efficiently and quickly find the called party by alternative means of communication.

Regarding claim 21, Urs further discloses a method further comprising: responsive to the user input indicating that a default communication mode be used initiating communication with the destination party, using a default communication mode associated with the first previously stored handle. See col. 5, lines 7-16

6. Claims 27- 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Padawer [US 2002/0115476] in view of Hawkins [US 6,516,202]

Regarding claim 27, Padawer discloses all the limitations as claimed. However, he does not disclose a method wherein the pop-up menu further comprises at least one entry corresponding to a received call.

Art Unit: 2618

Hawkins, in the same field of endeavor, teaches a method wherein the pop-up menu further comprises at least one entry corresponding to a received call. See col. 8, lines 33-36.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Hawkins to Padawer in order to enable the user to have a more complete call history information.

Regarding claim 28, Hawkins further teaches a method wherein the pop-up menu further comprises at least one entry corresponding to a missed call. See col. 8, lines 15-24.

Regarding claim 29, Hawkins discloses a method further comprising:

highlighting one of the entries in the pop-up menu; receiving input for moving the highlight; and responsive to the receiving input, highlighting another one of the entries; and wherein receiving input selecting one of the entries comprises receiving input selecting the highlighted entry. See fig. 8C and col. 8, lines 33-58.

Regarding claim 30, Hawkins further discloses a method wherein the plurality of entries corresponding to previously initiated communications comprise previously called telephone numbers, and wherein initiating communication comprises dialing a telephone number corresponding to the selected entry. See fig. 8C and col. 8, lines 33-58.

7. Claims 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Padawer [US 2002/0115476] in view of Retter [US 5,825,362]

Art Unit: 2618

Regarding claim 35, Padawer discloses all the limitations as claimed. However he does not disclose a method wherein the plurality of on-screen buttons is organized into a plurality of banks, each comprising at least one button and wherein the user interface further comprises controls for navigating from bank to bank.

Retter, in the same field of endeavor, teaches a user interface which can be grouped to form clusters/banks and wherein the user interface further comprises controls for navigating from bank to bank. See col. 10, lines 4-65.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of an alternate interface method of Retter to Padawer in order to enable the user to have a more logical grouping of information thus providing significant improvement in the operating speed.

Regarding claim 36, Retter further teaches a method wherein the user interface is navigable via a switch comprising at least two direction controls and an activation switch. See Figs 13,14 and col. 10, lines 4-52 and col. 11, lines 25-40

Regarding claim 37, Retter further teaches a method wherein the user interface is navigable via a switch comprising at least four direction controls and an activation switch. See Figs 13,14 and col. 10, lines 4-52 and col. 11, lines 25-40

Regarding claim 38, Retter further teaches a method wherein each button comprises a visual indicator of the type of function associated with the button, wherein the visual indicator

Art Unit: 2618

comprises at least one selected from the group consisting of a color; an icon; a text label; a pop-up label; a shape; and an outline. See col. 9, lines 39-67

8. Claims 39-45, 47, 48, 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Padawer [US 2002/0115476] in view of Becker[US 6,981,223]

Regarding claim 39, Padawer discloses a method of displaying an on-screen button for contacting an individual via a communication mechanism; See Figs. 9-11 and paragraph 57,58.

However, he does not disclose a method comprising:

retrieving presence information for the individual and concurrently with displaying the on-screen button, displaying a presence information indicator for the individual.

Becker, in the same field of endeavor, discloses a method for multiple messaging session management with a graphical user interface. Becker further teaches a method of retrieving presence information for the individual and concurrently with displaying the on-screen button, displaying a presence information indicator for the individual. See col. 8, lines 5-26

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Becker to Padawer in order to allow the calling party to efficiently and quickly locate the called party.

Regarding claim 40, Becker further discloses a method wherein displaying the presence information indicator comprises displaying the indicator within the on-screen button. See col. 8, line 5 – col. 9, line 11.

Art Unit: 2618

Regarding claim 41, Becker further discloses a method wherein displaying the presence information indicator comprises displaying the indicator adjacent to the on-screen button. See col. 8, line 58 – col. 9, line 11.

Regarding claim 42, Becker further discloses a method wherein displaying the presence information indicator comprises displaying the on-screen button using a color representing the presence information. See col. 8, line 5 – col. 9, line 11.

Regarding claim 43, Becker further discloses a method wherein displaying the presence information indicator comprises displaying at least one selected from the group consisting of: an icon; a text label; and a speed-dial button. See col. 8, line 5 – col. 9, line 11.

Regarding claim 44, Becker further discloses a method wherein retrieving the presence information comprises determining whether the individual is available to receive a communication via the communication mechanism. See col. 8, line 5 – col. 9, line 11.

Regarding claim 45, Becker further discloses a method wherein retrieving the presence information comprises determining whether the individual is online. See col. 8, line 5 – col. 9, line 11.

Art Unit: 2618

Regarding claim 47, Becker further discloses a method wherein retrieving the presence information comprises determining whether the individual has specified a presence state. See col. 8, line 5 – col. 9, line 11.

Regarding claim 48, Padawer discloses a method of displaying a directory entry for an individual; See Figs. 9-11 and paragraphs 57,58.

However he does not disclose a method of retrieving presence information for the individual; and concurrently with displaying the directory entry, displaying a presence information indicator for the individual.

Becker, in the same field of endeavor, teaches a method of retrieving presence information for the individual; and concurrently with displaying the directory entry, displaying a presence information indicator for the individual. See col. 8, lines 5-26

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Becker to Padawer in order to allow the calling party to efficiently and quickly locate the called party.

Regarding claim 53, Padawer discloses a hand-held device for displaying presence information, comprising:

- a display for displaying at least one of: an on-screen button for contacting an individual via a communication mechanism; See Fig. 2, figs. 9-11 and paragraphs 57,58
- a directory entry for an individual; See figs. 9-11 and paragraphs 57,58

However, he does not disclose a method comprising:

Art Unit: 2618

a presence retrieval module, coupled to the display, for retrieving presence information for the individual wherein, concurrently with displaying the on-screen button, the display displays a presence information indicator for the individual.

Becker, in the same field of endeavor, teaches a method of retrieving presence information for the individual; and concurrently with displaying the directory entry, displaying a presence information indicator for the individual. See col. 8, lines 5-26

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Becker to Padawer in order to allow the calling party to efficiently and quickly locate the called party.

9. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Padawer [US 2002/0115476] in view of Becker[US 6,981,223] and further in view of Salomaki [US Regarding claim 46, Padawer and Becker disclose all the limitations as claimed. However they do not disclose a method wherein retrieving the presence information comprises determining whether the individual is on the phone.

Salomaki, in the same field of endeavor, teaches a method wherein retrieving the presence information comprises determining whether the individual is on the phone. See paragraphs Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Salomaki to Padawer in order to allow the calling party to efficiently and quickly locate the called party.

Allowable Subject Matter

10. Claims 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 6, applicant discloses a method wherein detecting user selection of the speed dial button comprises:

highlighting a first speed-dial button; detecting user input indicating a direction; responsive to the detected user input, highlighting a second speed-dial button, the second speed-dial button having a position with respect to the first speed-dial button, the position corresponding to the indicated direction.

Further the applicant discloses a method wherein detecting user input indicating a direction comprises detecting user manipulation of a switch having at least two contact points.

The prior art (discussed in the rejections above) either individually or in combination fails to render the above unique feature obvious.

11. Claims 22-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 22,24, applicant discloses a method of determining whether the user input indicates a request that alternative communication modes be displayed comprising determining whether the user has pressed a first button or a second button and further if the user has pressed the button momentarily or has held a button down for at least a predetermined length of time.

Art Unit: 2618

The prior art (discussed in the rejections above) either individually or in combination fails to render the above unique feature obvious

12. Claims 31, 32 are allowed.

Regarding claims 31,32 the applicant discloses a method comprising:

responsive to an activation command, displaying a pop-up menu comprising a plurality of entries corresponding to previously initiated communications; receiving input selecting one of the entries; displaying a sub-menu comprising alternate communication modes for the selected entry; receiving input selecting one of the alternate communication modes; and responsive to the received input, initiating communication according to the selected alternate communication mode.

The prior art (discussed in the rejections above) either individually or in combination fails to render the above unique feature obvious

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

Foster [US 2004/0218609] System and method for delivering messages using alternate modes of communication

Scott [US 7,103,388] Expedited communication graphical user interface system and method

Hawkins [US 7,007,239] Method and apparatus for accessing a contact database and telephone services

Art Unit: 2618

Griffin [US 2002/0044136] Dual mode communication device


Singh [US 6,259,931] Controlling a communication device with dual mode communication signaling

Pirskanen [EP 1 104 151 A2] Mobile station having improved user interface providing application management and other functions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Sujatha Sharma
October 2, 2006